UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,258	01/04/2006	Takeshi Iwatsu	277188US6PCT	9948

22859   7590   05/12/2009
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER
HOANG, SON T

ART UNIT	PAPER NUMBER
2165	

NOTIFICATION DATE	DELIVERY MODE
05/12/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>04 May 2009</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.

   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b) ☐ They raise the issue of new matter (see NOTE below);

   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: *See Continuation Sheet*. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: *None*.

   Claim(s) objected to: *None*.

   Claim(s) rejected: *1-8,10-17 and 19-31*.

   Claim(s) withdrawn from consideration: *None*.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____.

13. ☐ Other: _____.

/Christian P. Chace/
Supervisory Patent Examiner, Art Unit 2165

/S. T. H./
Examiner, Art Unit 2165

Continuation of 3. NOTE:

The amendment filed on May 4, 2009 contains amended independent claims 1, 10, 19, and 24 wherein each claim introduces an amended limitation of "said data content is copied from a compact disk" that has not been presented for examination in the earlier responses. Hence, the amendment will not be entered.

Continuation of 11. does NOT place the application in condition for allowance because:

Since the amendment filed on May 4, 2009 will not be entered. The rejections of the Final Office action mailed on March 13, 2009 are hereby sustained. An excerpt of the rejections is reproduced below:

Regarding claim 1, Yuji clearly shows and discloses a data storage control apparatus ([0018]-[0022]), comprising:

copying means for copying data from an external storage medium;

data attribution detection means for detecting attribution of storing-target data (The data is passed to the filer section. Out of the passed data, the filer section identifies expiration date information, significance information and classification information, [0022]); determination means for determining whether or not the storage of said data is to be performed based on the attribution of said data detected by said data attribution detection means (When having passed over the expiration date, (Y) cancels received data (it does not record) and is completed, [0022]);

data deletion means for deleting data having higher deletion-target priority than others from among a plurality of stored data, if said determination means determines that the storage of said data is to be performed and a storage medium for storing said data runs out of space (The record control section records the information received from the filter section on a recording device. Here, when the capacity of a recording device is full, the data considered to be the most unnecessary are eliminated in order, judging from significance, classification, information, an expiration date ... Moreover, the record control section eliminates automatically the information which has passed over the expiration date in the recorded information, [0019]); and

data storage means for storing said storing-target data in said storage medium after said data deletion means deletes data having higher said deletion-target priority (When the capacity of a recording device is full, the data considered to be the most unnecessary are eliminated in order, judging from significance, classification information, an expiration date, etc., and the information received newly is recorded, [0019]).

Yuji does not disclose copying data from an external storage medium, and setting deletion-target priority of said data to high for all data with attribution of said data showing that said data is content copied from the external storage medium.

However, Takashima teaches copying data from an external storage medium (The cache setting sets a cache flag indicating whether to cache a file downloaded from an Internet/intranet server (collectively referred to as a network server) in conformity to the Internet protocols into a disk in a local drive of a client, a cache folder name, capacity limit, [0029]), and setting deletion-target priority of said data to high for all data with attribution of said data showing that said data is content copied from the external storage medium (it is determined whether the flag in the cache setting of the storage device 2 is "ON" (step S501). If it is "ON", the URL address of the file-type data currently processed is searched in the cache table of the storage device 2 to check if it is registered therewith (step S502). It is then determined whether it has been found (step S503). If it is found in the cache table, it means the external file of the URL address has been cached. If it is found, the external file with the cache file name of the entry is deleted from the cache folder (step S504), and the entry is also deleted from the cache table (step S505), [0045]-[0046]).

It would have been obvious to an ordinary person skilled in the art at the time of the invention was made to incorporate the teachings of Takashima with the teachings of Yuji for the purpose of providing a form processing system that is capable of overlaying data in an external file located on an Internet/intranet server onto a predetermined field in a form [0004] of Takashima).